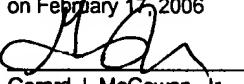


**CERTIFICATE OF MAILING**

O I P E  
I A P A N  
FEB 21 2006  
P A T E N T & T R A D E M A R K O F F I C E  
I hereby certify that this correspondence is being deposited  
with the United States Postal Service as First Class Mail in  
an envelope addressed to:

"Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450"

on February 17, 2006

  
Gerard J. McGowan, Jr.  
Reg. No. 29,412  
Agent for Applicant(s)

Case No.: F7414(C)  
UNUS No.: 98-0086-UNI

February 17, 2006  
Date of Signature

**RECEIVED**  
FEB 24 2006  
TC 1700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Cheney et al.  
Serial No.: 09/600,788  
Filed: February 13, 2001  
For: Frozen Food Product

Englewood Cliffs, New Jersey 07632  
February 17, 2006

**STATUS INQUIRY PURSUANT TO 37 C.F.R. § 1.14(a)**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

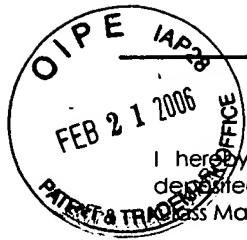
Applicants respectfully inquire as to the status of the above-identified patent application and would appreciate it if they could be informed as to when they can expect to receive a notice that the abandonment has been withdrawn.

A copy of a petition under Rule 181 to withdraw holding of Abandonment mailed 8/29/03, together with a copy of the postcard showing receipt by the PTO on 9/2/03, and an e:message to Petitions at pto.gov are enclosed.

Respectfully submitted,

  
Gerard McGowan  
Registration No. 29,412  
Attorney for Applicant(s)

GJM/pod  
(201) 894-2297



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

"Commissioner for Patents  
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on 2/17/06

2/17/06

GERARD J. MCGOWAN, Jr.  
Reg. No. 29,412  
Attorney for Applicant(s)

Date of Signature

In re application of: Cheney et al.  
Serial No.: 09/600,788  
Filed: February 13, 2001  
For: Frozen Food Product

Englewood Cliffs, New Jersey 07632

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**FEB 24 2006**

**TC 1700**

Transmitted herewith is a status inquiry in the above-identified application.  
 No additional fee is required.

The fee has been calculated as shown below.

**CLAIMS AS AMENDED**

	(2) * Claims Remaining After Amendment		(4)** Highest No. Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims		Minus			\$ 50.00	
Independent Claims		Minus			\$ 200.00	
Multiple Claims					\$ 360.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>						\$ <u>510.00</u>

\*If the entry in Column (2) is less than the entry in Column (4), write "0" in Column (5).

\*\*If the "Highest No. Previously Paid For" is less than "20," write "20" in this space.

Charge \$\_\_\_\_\_ to Deposit Acct. #12-1155. Triplicate copies of this letter are enclosed.  
 The Commissioner is hereby authorized to charge any additional fees, which may be required to our deposit account No. 12-1155, including all required fees under

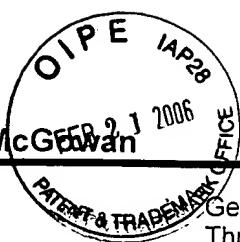
37 C.F.R § 1.16;  
 37 C.F.R. §1.17;  
 37 C.F.R. §1.18.

Triplicate copies of this letter are enclosed.

GJM/pod  
(201) 894-2297

  
Gerard J. McGowan, Jr.  
Attorney of Record  
Reg. #29,412

Gerard McGowan



From: Gerard McGowan [Gerard.McGowan@unilever.com]  
Sent: Thursday, July 08, 2004 7:32 PM  
To: 'petitions@uspto.gov'  
Subject: unanswered petitions

The following petitions have not been answered to date:

Application No.	Petition Filed:	Reg:
09/600,788	9/2/03	Withdrawal of abandonment
09/686,325	3/25/04	Renewed petition to revive (petition originally filed 5/9/02)
•		

Thank you in advance for your assistance.

Gerard J. McGowan, Jr.  
Reg. No. 29,412  
45 River Road  
Edgewater, NJ 07020

Gerard McGowan (Jerry)  
Unilever Patent Department  
E-mail address: Gerard.McGowan@Unilever.com  
Please do NOT address mail intended for me to "Gerry.McGowan," as that is a different person and such mail will not reach me.  
Phone 201 840-2297  
Fax 201 840-8294

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Respond to the Notice of Abandonment by one of the following:

**Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required**

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f).

In order for a petition to be granted, the evidence must be sufficient according to one of the following standards:

- 37 CFR § 1.8(b) Certificate of Mailing
- 37 CFR § 1.10 "Express Mail" mailing
- MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA 22313-1450

By facsimile: 703-305-8755 or 703-305-4372

**Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (See MPEP 711.03(c) II). No fee required**

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
(Mark attention of a particular office or individual)

By facsimile: Technology Center numbers posted at <http://www.uspto.gov/september1/faxnotice.htm>

**Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)**

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By hand: Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By facsimile: 703-308-6916

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website – <http://www.uspto.gov>

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.

MCG VAN

PATENTS

Petition under Rule 181 to Withdraw Holding of Abandonment  
with certificate of mailing and copies of RCE submitted on  
6/13/03 and copy of stamped postcard for:

Applicant: Cheney et al.  
Serial No. 09/600,788  
Filed: February 13, 2001  
For: Frozen Food Product

Case No.: F7414(C)  
UNUS No.: 98-0086-UNI  
Group: 1761  
Examiner: Nina Bhatt  
Deposited: August 29, 2003



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